

**SUPREME COURT MINUTES
TUESDAY, NOVEMBER 24, 1998
SAN FRANCISCO, CALIFORNIA**

S073888 Ellen Miller, Petitioner
3rd Dist. v.
C027176 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review GRANTED.
Pending finality of review, execution of the judgment of contempt filed July 23, 1998, in San Joaquin County Superior Court case number 59994, entitled *People v. DeSoto*, is hereby stayed.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S073315 People, Respondent
4th Dist. v.
G018045 Cam Thach Thi Le et al., Appellants
G018046 Petition for review GRANTED.
G018057 Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Williams*, S069793 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S073543 People, Respondent
3rd Dist. v.
C024609 Anji Lynn Baker, Appellant
 Petition for review DENIED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Falsetta*, S071521 and *People v. Ritson*, S071200 (See Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S033975 People, Respondent
 v.
 Michael Steven Combs, Appellant

The People's motion to correct the record, filed September 30, 1998, is granted. All records of the proceedings that occurred after May 3, 1991, in the prosecution against Cynthia Purcell, San Bernardino County Superior Court No. BCR2436, Court of Appeal, Fourth Appellate District, No. E010850, are hereby ordered excluded from the record on appeal in *People v. Combs* (S033975). This order is without prejudice to a request for judicial notice of the records this order excludes from the appellate record in this case.

S063733 In re Steven Livaditis
 on
 Habeas Corpus

The petition for writ of habeas corpus filed on August 20, 1997, is denied. All claims are denied on the merits. The following claims are also denied on the ground that they were raised and rejected on appeal: 3, 4, 6, 7, 8, 9, 28, 31. (*In re Waltreus* (1965) 62 Cal.2d 218, 225 (*Waltreus*).) The following claims are also denied on the ground that they could have been, but were not, raised on appeal: 2, 10. (*In re Dixon* (1953) 41 Cal.2d 756, 759 (*Dixon*).) Claim 5 is denied under *Waltreus, supra*, to the extent is based on the appellate record. The following claims are denied under *Waltreus, supra*, to the extent they were raised and rejected on appeal, and under *Dixon, supra*, to the extent they were not raised on appeal: 13-23, 25-27. (Claim 24 was withdrawn.) Claim 40 is denied because of the failure to object or otherwise raise the issue at trial. (*People v. Edwards* (1991) 54 Cal.3d 787, 827.) Claim 1, a claim of cumulative error, is subject to the same procedural bars that apply to the individual claims.

Mosk, J., and Brown, J., would deny the petition solely on the merits.

S070542 In re Roy Rivas, Jr.
 on
 Habeas Corpus

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

S010808 People, Respondent
 v.
 Jack Gus Farnam, Appellant

Respondent's motion, filed June 2, 1997, to unseal and obtain a copy of the transcript of the in camera hearing held in the above-entitled case on July 21, 1988, and mentioned in Volume 4, page 45 of the reporter's transcript, is granted. The clerk of this court is ordered to make a copy of such transcript, and to furnish that copy to counsel for respondent.

S068162 People, Respondent

v.

Danny Duarte, Appellant

In light of the United States Supreme Court's having granted certiorari in *Benjamin Lee Lilly v. Commonwealth of Virginia* (1998) 255 Va.558, 499 S.E.2d 522, further briefing is deferred pending order of this court. (United States Supreme Court case number 98-5881.)

S073737 David Allen Dillier, Petitioner

v.

Court of Appeal, Fourth Appellate District, Div. Two, Respondent
Safeco Insurance Companies, Real Party in Interest

Petition for writ of mandate DENIED.

S068162 People, Respondent

v.

Danny Duarte, Appellant

On application of appellant, and good cause appearing, it is ordered that the application to file the untimely answer brief on the merits in excess of the page limit is hereby GRANTED.

Orders were filed in the following matters denying petition for writ of habeas corpus:

S067449 - In re Marion F. Miller, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.

S068089 - In re Benito Simpson on Habeas Corpus.

S068336 - In re Bernard Merfeld on Habeas Corpus.

S068559 - In re Donald Victorian on Habeas Corpus.

S068756 - In re Marcus McJimpson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S068820 - In re Sandy Lee DeJurnett on Habeas Corpus.
- S069015 - In re Bobby Shawn Janoe on Habeas Corpus.
- S069029 - In re Paris Marquese Whitfield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069043 - In re Robert L. McElwee on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.) Mosk, J., is of the opinion an order to show cause should issue.
- S069051 - In re Cedric Harrison on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S069114 - In re Rufus Williams on Habeas Corpus.
- S069115 - In re James Reed on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069132 - In re Gary Eugene Kukes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S069159 - In re David D. Weidert on Habeas Corpus.
- S069203 - In re Enrique Cavazos on Habeas Corpus.
- S069245 - In re Isaac Gaines on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S069251 - In re Mark Todd Hundley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S069255 - In re Benito Morales on Habeas Corpus.
- S069313 In re Robert Lee Jenkins, Jr. on Habeas Corpus.
- S069378 In re Barry J. Jameson on Habeas Corpus.
- S069382 In re Chiang Ching Liu on Habeas Corpus. Petition for writ of habeas corpus is DENIED. George, C.J., did not participate.
- S069400 In re Romesh Chander Kanda on Habeas Corpus.
- S069440 In re Kareem Lamar Brown on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069458 In re Richard A. Barker on Habeas Corpus.
- S069466 In re Arthur J. Gomez on Habeas Corpus.
- S069517 In re Masieh Pourahmad on Habeas Corpus.
- S069533 In re Arthur Chabala on Habeas Corpus.
- S069548 In re Anthony Holmes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069550 In re Tyrone Deshawn Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S069559 In re Loren Paul Barnhart on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S069563 In re Douglas Lee Cercle on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S069583 In re Wayne J. Harris (aka Glenn Johnson) on Habeas Corpus.
- S069592 In re Darin Dean Percy on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S069603 In re Curtis Lemar Martin on Habeas Corpus.
- S069648 In re Adolfo Davila on Habeas Corpus.
- S069692 In re Ruben Plancarte-Cuevas on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S069746 In re Shelvin Jones on Habeas Corpus.
- S069754 In re James Ray Roberts on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735; *People v. Gonzalez* (1990) 51 Cal.3d 1179, 1256-1261.)
- S069810 In re Bradley J. Arrowood on Habeas Corpus.
- S069820 In re Terry Jemal Jordan on Habeas Corpus.
- S069836 In re Edward Renteria on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S069845 In re Adrian Garibay on Habeas Corpus.
- S069875 In re Richard Jerome Aichele on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (Pen. Code, § 1473, subd. (a); *In re Wesley W.* (1981) 125 Cal.App.3d 240, 246-247.)

- S070019 In re Delano Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070022 In re Michel Sanchez-Mendez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070030 In re Gennaro William Gaglione on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S070053 In re Judith Ann Barnett on Habeas Corpus.
- S070097 In re Mark Emery Taylor on Habeas Corpus.
- S070109 In re William Harold Ford, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070113 In re Valentin Vivero on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070146 In re Patrick L. Richardson on Habeas Corpus.
- S070160 In re Charles Walter Smith on Habeas Corpus.
- S070161 In re Mark Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S070169 In re Jesus Antonio Rivera on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S070183 In re Flenord Dwight Evans on Habeas Corpus.
- S070218 In re Charles Rex Farmer on Habeas Corpus.

- S070226 In re Gregory Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S070231 In re Anthony Penn on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070233 In re Morris Lee Mester on Habeas Corpus.
- S070234 In re Phillip Stone on Habeas Corpus.
- S070262 In re R.T. Gordon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S070267 In re Francisco Javier Pimental on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Clark* (1993) 5 Cal.4th 750.)
- S070270 In re George E. Hoyos on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070300 In re Victor M. Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070303 In re Gilbert L. Martinez on Habeas Corpus.
- S070313 In re Alfred Charles Taylor on Habeas Corpus.
- S070319 In re Curtis Daniels on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070330 In re Stephen Cooper on Habeas Corpus.
- S070354 In re Joseph James Bogle on Habeas Corpus.

- S070361 In re Christopher Crawford on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759;; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070370 In re Bobby Shawn Janoe on Habeas Corpus.
- S070396 In re Carlotta Ann McDonald on Habeas Corpus.
- S070409 In re Jose Jaime Leon on Habeas Corpus.
- S070419 In re Keenan Lynn Vinson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070438 In re Darryl Lance Jones on Habeas Corpus.
- S070443 In re Arthur Lee Taylor on Habeas Corpus.
- S070445 In re Kim Steven Butler on Habeas Corpus on the merits.
- S070461 In re Richard F. Lopez on Habeas Corpus.
- S070472 In re Kenneth Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S070485 In re Churck Patrick Stubblefield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070497 In re Omar Beya Shaheed on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S070502 In re Dannie Lee Butler on Habeas Corpus.
- S070503 In re Tommy W. Ross on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070507 In re Larry E. Belton, Sr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.) Mosk, J., is of the opinion an order to show cause issue.
- S070511 In re Mamdouh Ibrahim on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070513 In re Stanford P. Bryant on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S070535 In re Jason L. Green on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S070552 In re Alexander Mezhbein on Habeas Corpus.
- S070567 In re Hildeberto Alvarez Saldana on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070581 In re Lewis G. Rishar on Habeas Corpus.
- S070585 In re Reginald Malone on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070588 In re Michael Dwight Butts on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

- S070592 In re Craig Furcron on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S070607 In re Jeff Harnden on Habeas Corpus.
- S070628 In re Steven Lloyd Gutsch on Habeas Corpus.
- S070647 In re Jeffrey M. Burks on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070656 In re Glen Harlon Davis on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S070661 In re Johnney Ramey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Clark* (1993) 5 Cal.4th 750.)
- S070662 In re Charles Rex Farmer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070668 In re Secel Romerious Montgomery on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070724 In re Michael S. Jenkins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070725 In re Dwan Alan Pryor on Habeas Corpus.
- S070736 In re James Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S070802 In re Paul Appolo Gornick on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S070813 In re Charles Jerome Easley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S070827 In re Horace Bell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070835 In re Gordon Andrew Douglas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070840 In re Isabel Tubch on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S070844 In re Stanley Leon Parker on Habeas Corpus.
- S070853 In re Josue Jiminez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225;; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070855 In re Leonard Walker on Habeas Corpus.
- S070857 In re Reginald Cooper on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S070859 In re Arturo Bejarano, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S070861 In re Eulojio Rojas on Habeas Corpus.

- S070893 In re Jose Medrano on Habeas Corpus.
- S070905 In re Gilbert L. Martinez on Habeas Corpus.
- S070910 In re Charles Roger Jorss on Habeas Corpus. Petition for writ of habeas corpus is DENIED. Mosk, J., is of the opinion an order to show cause should issue.
- S070916 In re Charles Eugene Brown on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S070918 In re Richard Serrano Reyes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S070920 In re Jermaine Pina on Habeas Corpus.
- S070922 In re Robert Ulmer Lowe on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070926 In re Dennis Bell on Habeas Corpus.
- S070927 In re Phillip Sanders on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S070932 In re Lonnie Rose on Habeas Corpus.
- S070936 In re James L. Shamburger on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070948 In re Charles Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence.

- S070950 In re Brady K. Armstrong on Habeas Corpus.
- S070952 In re Martin A. Castro on Habeas Corpus.
- S070954 In re Saul Venegas Gutierrez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S070964 In re Horace Bell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S070985 In re Reginald Simmons on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S070990 In re Stephen Martin Whitfield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071012 In re Isabel Tubach on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S071017 In re Rogelio Piedro on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071022 In re George Black on Habeas Corpus.
- S071027 In re Andre Miles on Habeas Corpus.
- S071032 In re Baha Bahadeen Asgari on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)

- S071034 In re Paul Allen Thomas on Habeas Corpus.
- S071035 In re Lawrence J. Knox on Habeas Corpus.
- S071041 In re Daniel M. Duffy on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780, 810.)
- S071044 In re Elbert Lee Vaught on Habeas Corpus.
- S071048 In re Orlando Guzman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071050 In re Kim Island on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071052 In re James Koch on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071055 In re Carlos Manuel Rosales on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071057 In re Jon Zin on Habeas Corpus.
- S071070 In re Jose Eloy Alaniz on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S071074 In re Francisco U. Uriate on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

- S071078 In re John W. Jackson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S071083 In re Joseph Scott Hunter on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Clark* (1993) 5 Cal.4th 750.)
- S071094 In re Leslie Barker on Habeas Corpus.
- S071102 In re Kem Tran on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071103 In re Tracy Evans on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071106 In re Raymond A. Shields on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S071114 In re Gregory McKinney on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071120 In re Dale Allen Emehiser on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780.) Werdegar, J., did not participate.
- S071126 In re Darrell Lambert on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S071127 In re John De Luca on Habeas Corpus.
- S071128 In re Charles Edward Kraus on Habeas Corpus.
- S071131 In re Linda Nancy Phillips on Habeas Corpus.

- S071133 In re James Merjil on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071155 In re Jerry Emery De La Cruz on Habeas Corpus.
- S071157 In re Louis C. Lalanne on Habeas Corpus.
- S071158 In re Mushi Carl Nunn on Habeas Corpus.
- S071160 In re Corby Albert on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071161 In re Verlin Clark on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071192 In re Daryl Calloway on Habeas Corpus.
- S071195 In re Demont Earl Kelly on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071203 In re Elpidio Cornejo on Habeas Corpus.
- S071206 In re Rafael Castanon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071207 In re Marcus C. Cato on Habeas Corpus.
- S071214 In re Librado Clemena, Jr. on Habeas Corpus.
- S071217 In re Ahmad Assaf on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence.
- S071234 In re Elpidio Cornejo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S071237 In re Gary Mandel Kelly on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071246 In re Shawn Christopher Alls on Habeas Corpus.
- S071256 In re Steven Wesley Hamby on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071257 In re Albert Sasser on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S071266 In re Jonathan Karl Lundh on Habeas Corpus.
- S071289 In re James Darryl Allen on Habeas Corpus.
- S071292 In re Stephen A. Boyd on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071293 In re Albert Caraig on Habeas Corpus.
- S071294 In re David Vong on Habeas Corpus.
- S071296 In re Maurice Davis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. Mosk, J., is of the opinion an order to show cause should issue.
- S071306 In re Michael Anthony Saunders on Habeas Corpus.
- S071311 In re Luis Escobar on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S071315 In re Jose Antonio Toribio on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S071317 In re Mark Cline on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071322 In re Joel Viramontes on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S071355 In re Justin Paul Bruno on Habeas Corpus.
- S071361 In re David W. Jacobson on Habeas Corpus.
- S071371 In re Hayron Olivares on Habeas Corpus.
- S071372 In re Ian L. Cormier on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S071374 In re Jeffrey David Kelly on Habeas Corpus.
- S071385 In re Joseph Morris on Habeas Corpus.
- S071397 In re Manuel Sanchez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071402 In re Oscar Mata on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S071403 In re Stanley Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S071413 In re Mark Stinson on Habeas Corpus. Petition for writ of habeas corpus is DENIED for failure to allege adequate facts. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071420 In re Brad Lee Loveless on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.

- S071426 In re Albert Caraig on Habeas Corpus.
- S071430 In re Joseph Rey Fierro on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071436 In re Christopher Eskridge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071443 In re Pedro Oropeza on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071447 In re Domingo Garcia on Habeas Corpus.
- S071450 In re Robert Bennett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071451 In re Mark Batiste on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071474 In re Jason Jack on Habeas Corpus.
- S071508 In re Jose Perez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S071509 In re Michael Angelo Powell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S071511 In re Fred Price on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723 *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S071513 In re Wayne LeBlanc on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S071516 In re Jose E. Flores on Habeas Corpus.
- S071534 In re Keith Edward Houston on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S071541 In re Jay Allen White on Habeas Corpus.
- S071546 In re Robert MacDougal on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S071778 In re Albert Caraig on Habeas Corpus.
- S072231 In re Ramon Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED. Mosk, J., is of the opinion an order to show cause should issue.
- S073085 In re Jeffrey David Kelly on Habeas Corpus.
- S073371 In re Michael Todd Smith on Habeas Corpus.
- S073812 In re Oscar Mata on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S074002 In re Mark Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S074142 In re Daniel Rocha, Sr. on Habeas Corpus.
- S074194 In re Jesus Maya Tellez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

- S074634 In re Michael Cavness on Habeas Corpus.
- S074742 In re Roberto Chaidez on Habeas Corpus. Application for stay and petition for writ of habeas corpus DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- 1st Dist. Oliver A. Jones and Stephanie Jones, Appellant
A076628 v.
Div. 3 Louis Trujillo et al., Respondents
S074048 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
- 1st Dist. People, Respondent
A077615 v.
Div. 2 Richard T. French, Appellant
S073674 Appellant's petition for review DENIED.
- 1st Dist. People, Respondent
A077640 v.
Div. 2 Shann Hicks, Appellant
S073505 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
- 1st Dist. Charles Ford, Petitioner
A078679 v.
Div. 1 Workers' Compensation Appeals Board et al., Respondents
S069263 Petition of Kennard, J., is of the opinion the petition should be granted.
- 1st Dist. Mary Kerner, Appellant
A078960 v.
Div. 1 County of Marin, Respondent
S074184 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A079105 v.
Div. 5 Anthony Anderson, Appellant
S074050 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A079468 v.
Div. 3 Anthony Beverly, Appellant
S074180 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A079476 v.
Div. 3 Daniel Lee Ivey, Appellant
S073361 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. City of Richmond, Petitioner
A081712 v.
Div. 3 Workers' Compensation Appeals Board, Respondent
S074044 Gwendolyn Brown, Respondent
Petition for review DENIED.

1st Dist. Earl Butler, Petitioner
A082916 v.
Div. 2 Workers' Compensation Appeals Board, Respondent
S074070 Mission Foods, Respondent
Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

1st Dist. County of San Mateo, Petitioner
A083877 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S074240 Petition for review DENIED.

2nd Dist. People, Respondent
B068207 v.
Div. 2 Frank Aguiar, Appellant
S073367 Appellant's petition for review DENIED.

2nd Dist. B094394 Div. 7 S074257	Dennis Palmieri, Appellant v. Los Angeles Times et al., Respondents Appellant's petition for review DENIED. Request for judicial notice denied.
2nd Dist. B099423 Div. 7 S074100	In re the Marriage of Patricia A. Winston (Rigdon) and Scott T. Winston ----- Patricia A. Winston, Respondent v. Hans Peter Reichman, Appellant Petition for review DENIED.
2nd Dist. B102835 Div. 7 S074113	People, Respondent v. Michael Flowers, Appellant Appellant's petition for review DENIED.
2nd Dist. B104661 Div. 2 S074157	Jennie Stabile, as Trustee, etc. et al., Appellants v. California Federal Bank, Respondent Appellants' petition for review DENIED.
2nd Dist. B107487 Div. 7 S073446	People, Respondent v. Clarence Edward Odom et al., Appellants Appellant's petitions for review DENIED.
2nd Dist. B107505 Div. 3 S073645	People, Respondent v. Enrique Lacallo et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B109077 Div. 2 S073257	People, Respondent v. Jaime Davalos et al., Appellants Appellants' petitions for review DENIED.

2nd Dist. Rancho Mortgage Corporation, Appellant
B109504 v.
Div. 5 Timothy Wells et al., Respondents
S074098 Petition for review DENIED.

2nd Dist. People, Respondent
B109763 v.
B118037 Mario Perez, Appellant
Div. 7 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B110041 v.
Div. 3 Frankie Lane Drew, Appellant
S073654 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B111172 v.
Div. 5 William Curl et al., Appellants
S073250 Appellants' petitions for review DENIED.

2nd Dist. Hamid Hooshmand, Appellant
B111558 v.
Div. 6 Fedco Incorporated, Respondent
S074304 Petition for review DENIED.

2nd Dist. People, Respondent
B111777 v.
Div. 2 Guillermo Mena, Respondent
S074210 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B112077 v.
Div. 7 Andrew Berry, Appellant
S073637 Appellant's petition for review DENIED.

2nd Dist. Jamila Bayati, Appellant
B112593 v.
Div. 1 County of Los Angeles et al., Respondents
S074027 Respondents' petition for review DENIED.
The request for an order directing publication of the opinion is denied.

2nd Dist. Jerome Stabler et al., Appellants
B112602 v.
Div. 1 Alexander B. Keel et al., Respondents
S074171 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B112706 v.
Div. 2 Andre Lamar Bell, Appellant
S073948 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B112980 v.
Div. 2 Eugenio Rodriguez, Appellant
S073602 Appellant's petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

2nd Dist. People, Respondent
B113484 v.
Div. 7 Steven Gordon Swaim, Appellant
S074122 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B113656 v.
Div. 7 Demarie Lemar Mackey, Appellant
S074156 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B113920 v.
Div. 7 Errington Fitzpatrick, Appellant
S073556 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Patrick Sines, Appellant
B114142 v.
Div. 5 Southern Pacific Transportation Company, Respondent
S074215 Petition for review DENIED.

2nd Dist. People, Respondent
B114373 v.
Div. 1 John Lewis Grissom, Appellant
S073441 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Peter Kudrave A.I.A. et al., Appellants
B114439 v.
Div. 5 The County of Los Angeles, Respondent
S073895 Petition for review DENIED.

2nd Dist. People, Respondent
B114457 v.
Div. 5 Robert Lee Moore, Appellant
S074110 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Sheila Pegues, Respondent
B114582 v.
Div. 3 Los Angeles County Civil Service Commission
S074147 Eddy S. Tanaka Director County of Los Angeles et al,
Real Parties in Interest
Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B115056 v.
Div. 3 Manuel Busane, Appellant
S074165 Appellant's petition for review DENIED.

2nd Dist. Jaylen Sharpe, Appellant
B115803 v.
Div. 1 MacFrugal's Bargains-Closeouts, Incorporated, et al., Respondents
S074266 Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B115840 v.
Div. 1 Jose Luis Esquero, Appellant
S074170 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B115950 v.
Div. 7 Ann Elizabeth Prentiss, Appellant
S074201 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B117461 v.
Div. 5 Mike Littlebear Parmenter, Appellant
S074086 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B117466 v.
Div. 7 Steve L. Edwards, Appellant
S074144 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B117520 v.
Div. 3 Anthony Tarkington, Appellant
S074033 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B117716 v.
Div. 5 Jose Mariscal, Appellant
S074224 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118483 v.
Div. 1 David A. Alvarado, Appellant
S074055 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118723 v.
Div. 4 Elijah J. Sandoval, Appellant
S074204 Appellant's petition for review DENIED.

2nd Dist. Reginald Hicks, Petitioner
B125063 v.
Div. 5 Workers' Compensation Appeals Board, Respondent
S074089 The Burbank Studios, Respondent
Petition for review DENIED.

2nd Dist. Jose Alberto Garcia, Petitioner
B125469 v.
Div. 3 Appellate Department of Superior Court, Respondent
S074103 People, Real Party in Interest
Petition for review DENIED.

3rd Dist. People, Respondent
C025952 v.
S074267 David Tramontini, Jr., Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C027206 v.
S074149 Anthony Michael Reyes, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C027451 v.
S074104 Eduardo Delgado Rodriguez, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C027656 v.
S074203 Nicolas Mendoza, Appellant
Appellant's petition for review DENIED.

3rd Dist. In re April W., A Person Coming Under the Juvenile Court Law
C027875 -----
S074013 Department of Health and Human Services, Respondent
v.
Karen and Donna W. et al., Appellants
Petition for review DENIED.

3rd Dist. People, Respondent
C028210 v.
S074163 Andrew Lee Haugh, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028483 v.
S074088 Elder Bently III, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
D025887 v.
Div. 1 Cirese Faye Laberge, Appellant
S073266 Respondent's petition for review DENIED.
Werdegar, J., and Chin, J., are of the opinion the petition should
be granted.

4th Dist. People, Respondent
D026604 v.
Div. 1 Miguel Angel Amezcua, Appellant
S074178 Appellant's petition for review DENIED.

4th Dist. H.N. & Frances C. Berger Foundation, Appellant
D027377 v.
Div. 1 City of Escondido et al., Respondents
S073664 Petition for review DENIED.
Baxter, J., Chin, J., and Brown, J., are of the opinion the petition
should be granted.

4th Dist. People, Respondent
D027975 v.
Div. 1 Roderick Barnett, Appellant
S074225 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D028069 v.
Div. 1 Victor Daniel Soltero, Appellant
S074148 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D028565 v.
Div. 1 Arthur Lee Gibson, Jr., Appellant
S074269 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D029222 v.
Div. 1 Tamara L. Coleman, Appellant
S074135 Appellant's petition for review DENIED.

4th Dist. In re Joshua M., A Person Coming Under the Juvenile Court Law
D029548 -----
Div. 1 San Diego County Department of Social Services, Respondent
S073825 v.
David P., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D030759 v.
Div. 1 Douglas Arthur Barnholdt, Appellant
S074176 Appellant's petition for review DENIED.

4th Dist. Rosario Martinez et al., Appellants
E017964 v.
Div. 2 County of San Bernardino et al., Respondents
S074262 Respondents' petition for review DENIED.

4th Dist. People, Respondent
E019486 v.
Div. 2 Chris Arnes Thompson, Appellant
S074107 Appellant's petitions for review DENIED.

4th Dist. People, Respondent
E019677 v.
Div. 2 Rudolf Carl Hennicke, Appellant
S074119 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019971 v.
Div. 2 Clifton Lee Gibson, Appellant
S074060 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020099 v.
Div. 2 Richard White, Appellant
S074045 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020119 v.
E020225 Timothy McClune, Appellant
Div. 2 and Companion Case
S073374 Appellants' petitions for review DENIED.

4th Dist. People, Respondent
E020497 v.
Div. 2 Bruce Hunter, Appellant
S074227 Appellant's petition for review DENIED.

4th Dist. Patricia Joan Burgess, Respondent
E020532 v.
Div. 2 Nissan Motor Corporation, Appellant
S074173 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020533 v.
Div. 2 Michael Franco, Appellant
S074092 Appellant's petition for review DENIED.

4th Dist. Alan Stuart et al., Appellants
E020747 v.
Div. 2 Desert Hospital, Respondent
S074273 Petition for review DENIED.

4th Dist. People, Respondent
E020850 v.
Div. 2 Gilbert Andrew Montanez, Appellant
S074133 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021184 v.
Div. 2 Chester Ray Wiseman, Appellant
S074150 Appellant's petition for review DENIED.

4th Dist. In re Daniel M., A Person Coming Under the Juvenile Court Law
E021696 -----
E021697 Riverside County Department of Public Social Services, Respondent
Div. 2 v.
S074154 Michael M. et al., Appellants
and Companion Case
Petition for review DENIED.

4th Dist. People, Respondent
G016894 v.
Div. 3 Nanette Scheid, Appellant
S056981 Respondent's petition for review DENIED.

4th Dist. People, Respondent
G020522 v.
Div. 3 Robert Edroy Thompson, Appellant
S074129 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G020863 v.
Div. 3 Javier Davalor Orozco, Appellant
S074127 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G020998 v.
Div. 3 Brandon Lee Flatt, Appellant
S073662 Appellant's petition for review DENIED.

4th Dist. In re Richard and Jessica M., A Person Coming Under the Juvenile
G023995 Court Law
Div. 3 -----
S074128 Orange County Social Services Agency, Respondent
v.
Bruce M., Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F025970 v.
S074263 Albert Gene Sewell, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026974 v.
S074108 Robin Lynn Edelen, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F028126 v.
S074222 Raymond Lee Schuster, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F028443 v.
S074255 Saul Paramo, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F028658 v.
S073989 Albert Ortiz III et al., Appellants
Appellants' petition for review DENIED.

5th Dist. People, Respondent
F028687 v.
S074193 Kimberly Sue Cotrell, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029218 v.
S074199 Johnny Richard Hernandez, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030329 v.
S074223 Ramiro F. Rodriguez, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H016693 v.
S074234 John Manuel Vargas, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H016908 v.
S074230 Leonard Patrick Clark, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H017240 v.
S074167 Jesus Peter Garcia, Appellant
Appellant's petition for review DENIED.

6th Dist. In re Christopher P., A Person Coming Under the Juvenile Court Law
H018250 -----
S073574 People, Respondent
v.
Christopher P., Appellant
Appellant's petition for review DENIED.

6th Dist. Peninsula Paramedic Services, Inc., Petitioner
H018994 v.
S073777 Monterey County Superior Court, Respondent
Robert Greathouse, Real Party in Interest
Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

6th Dist. In re Mark George Brunson
H019035 on
S073589 Habeas Corpus
Petition for review DENIED.

6th Dist. Wilson Sonsini Goodrich & Rosati et al., Petitioners
H019108 v.
S074155 Santa Clara County Superior Court, Respondent
Joseph J. Digiovanni, Real Party in Interest
Petition for review DENIED.

6th Dist. Daniel V. Hernandez, Petitioner
H019246 v.
S074582 Santa Clara County Superior Court, Respondent
People, Real Party in Interest
Application for stay and petition for review DENIED.

1st Dist. Pilkington Barnes Hind, Petitioner
A080515 v.
Div. 5 San Francisco County Superior Court, Respondent
S074043 John J. Visbal, Real Party in Interest
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

- 2nd Dist. Schafer/Karpf Productions, Appellant
B109989 v.
Div. 7 CNA Insurance Companies et al., Respondents
S072203 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 2nd Dist. Rosemary Wilder, Petitioner
B122407 v.
Div. 4 Los Angeles County Superior Court, Respondent
S074231 Los Angeles County Metropolitan Transportation
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
- 4th Dist. Octavia Wentz, Respondent
D026745 v.
Div. 1 City of San Diego et al., Appellants
S073331 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 4th Dist. Amanda Mooney, a Minor, etc. et al., Appellants
E021464 v.
Div. 2 County of San Bernardino et al., Respondents
S072668 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- S024349 People, Respondent
v.
Peter Sakarias, Appellant
On application of respondent and good cause appearing, it is
ordered that the time to serve and file respondent's brief is extended
to and including December 30, 1998.
- S030416 People, Respondent
v.
Sergio Ochoa, Appellant
On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's opening brief is
extended to and including January 4, 1999.

S034072 People, Respondent

v.

Robert Zane Curl, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including January 29, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S035368 People, Respondent

v.

Enrique Zambrano, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including January 29, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S062432 In re Freddie Lee Taylor

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including December 30, 1998.

No further extensions of time will be granted.

S065501 Rochelle C. Linder, Appellant

v.

Thrifty Oil Company, Respondent

On application of the Association for California Tort Reform and good cause appearing, it is ordered that the time to submit and serve an amicus curiae brief in support of respondent and application to file same is extended to and including December 15, 1998.

S068741 People, Appellant

v.

Cheryl Jeanne Woods et al., Respondents

The application of California Public Defenders Association and Alternate Defender Office for permission to file an amicus curiae brief in support of respondents is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S071200 People, Respondent

v.

John Joseph Ritson, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including December 20, 1998.

S071467 Timothy Fukuda, Respondent

v.

City of Angels, Appellant

The application of Michael Asimow, Professor of Law, U.C.L.A. for permission to file an amicus curiae brief in support of appellant is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S071500 Thomas A. Bockrath, Appellant

v.

Aldrich Chemical Company et al., Respondents

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including January 12, 1999.

2nd Dist. Serge Agopian

B117002 v.

Lisa Tashjian

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division One.

2nd Dist.
B117009 Declan O'Donnell
 v.

Eun Il Shin

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division One to Division Seven.

2nd Dist.
B121354 Steven Ross
 v.

Paul A. Berns

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Seven.

2nd Dist.
B123012 County of Los Angeles
 v.

Jeffrey R.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Four.

2nd Dist.
B125356 Hartwell Corporation
 v.

Superior Court

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Six to Division One.

2nd Dist.
B126235 People
 v.

Charles F.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Three.

2nd Dist.
B126568 Covina Irrigation
 v.

Superior Court

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Six to Division One.

2nd Dist.
B126606 County of Los Angeles
 v.

Michael R.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Four.

S027727 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 17, 1992, effective August 10, 1992, be amended nunc pro tunc to strike the names of Jerry Curtis Duke and Robert Louis Loeb.

S047539 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 14, 1995, effective July 31, 1995, be amended nunc pro tunc to strike the names of Roy Kay Yamamura, Leonard Murray Maizlish, and George Bennett Cullison, Jr.

S062310 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 8, 1997, effective July 21, 1997, be amended nunc pro tunc to strike the names of Calvin Eugene Baldwin, Alan Roy Johnson, and Joan R. Miller.

S062097 In re **Barry Lee Silver** on Discipline

It is ordered that **Barry Lee Silver** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension, recommended by the Review Department of the State Bar Court in its opinion filed July 8, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S068765 In re **Louise A. Monaco** on Discipline

It is ordered that **Louise A. Monaco** be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed July 24, 1998. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086,10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073231 In re **Timothy V. Milner** on Discipline

It is ordered that **Timothy V. Milner** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 45 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation

filed June 15, 1998. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073232 In re **Lawrence Russell Webb** on Discipline

It is hereby ordered that **Lawrence Russell Webb** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S073233 In re **John Harvey Greenwood** on Discipline

It is ordered that **John Harvey Greenwood** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for six months, recommended by the Hearing Department of the State Bar Court in its order approving, as modified, the stipulation filed August 4, 1998. Credit toward the six-month period of actual suspension shall be given for the period of actual suspension served in S07292 as of the effective date of this order. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

S073234 In re **James Theodore Bakis** on Discipline

It is ordered that James Theodore Bakis be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for 90 days, recommended by the Hearing Department for the State Bar Court in its decision filed July 16, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) It is also ordered that he comply with rule 955, California Rules of Court, and that he perform

the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S073235 In re **Rory Dale Izsak** on Discipline

It is ordered that **Rory Dale Izsak** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for 120 days, recommended by the Hearing Department of the State Bar Court in its order dated July 6, 1998, as corrected on July 27, 1998, approving the stipulation filed July 9, 1998. Credit toward the period of actual suspension shall be given for the 45 days that he was on involuntary inactive enrollment. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be paid as recommended by the State Bar Court pursuant to its order dated July 6, 1998, as corrected on July 27, 1998.

S073238 In re **David L. Branson** on Discipline

It is ordered that **David L. Branson** be suspended from the practice of law for five years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the

State Bar Court in its order regarding stipulation filed July 6, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) He is further ordered to comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073239

In re **Olivia T. Ibarra** on Discipline

It is ordered that **Olivia T. Ibarra** be suspended from the practice of law for three years, that execution of suspension be stayed, and she be placed on probation for three years on condition that she be actually suspended for one year and until she makes restitution to Zoran Vidovic (or the Client Security Fund, if appropriate) in the amount of \$1,540.00, plus interest at the rate of 10% per annum from November 27, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. She is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed July 24, 1998. If the period of actual suspension exceeds two years, she shall remain actually suspended until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073240 In re **Robert O. Marshall** on Discipline

It is ordered that **Robert O. Marshall** be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including ten months actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed May 21, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order.* (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced August 30, 1997 (*In re Young* (1989) 49 Cal.3d 257, 270). Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073241 In re **Earl F. Tritt, III** on Discipline

It is ordered that **Earl F. Tritt, III** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for six months. He is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding decision filed June 15, 1998, as modified by its order filed July 8, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) He is further ordered to comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are

awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S073242 In re **Cary David Dechowitz** on Discipline

It is ordered that **Cary David Dechowitz** be suspended from the practice of law for five years and until he shows proof satisfactory to the State Bar Court of rehabilitation, present fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for eighteen months and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice, and learning and ability in the general law pursuant to standard 1.4(c)(ii). He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its ordered dated June 24, 1998, approving the stipulation filed July 7, 1998. Credit toward the period of actual suspension shall be given for the period of actual suspension shall be given for the period of interim suspension which commenced on August 20, 1997. (*In re Young* (1989) 49 Cal.3d 257, 270). It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be paid in accordance with Bus. & Prof. Code section 6140.7.

S073243 In re **Michael A. Doran** on Discipline

It is ordered that **Michael A. Doran** be suspended from the practice of law for 18 months, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including six months actual suspension and until completion of the State Bar's Ethics School and Client Trust Accounting and Record-Keeping class, as recommended by the Review Department of the State Bar Court in its opinion filed May 22, 1998. It is also ordered that he take and pass the Multistate

Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S073254 In re **Lawrence Allen Grigsby** on Discipline

It is ordered that **Lawrence Allen Grigsby** be suspended from the practice of law for three years and until he makes the restitution set forth below, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for twenty-one months and until he makes restitution to Velma Roper or, if she has paid the medical lien of Henry D. Harris, M.D., to Dr. Harris in the amount of \$2,200.00, plus interest at 10% per annum from May 30, 1995, and to the following persons or the Client Security Fund, if appropriate, in the following amounts, plus 10% interest per annum accruing from the stated dates:

<u>NAME</u>	<u>AMOUNT</u>	<u>DATE</u>
Eleanor Travillion	\$2,700.00	February 1, 1995
Sister of Eleanor Travillion	2,700.00	February 1, 1995
Mercury Insurance	600.00	September 21, 1995
Joe T. Bib'le	5,700.00	February 1, 1993
Denise Manning	1,530.00	October 11, 1994
Henry D. Harris, M.D.	4,650.00	April 26, 1995

and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. If the period of actual suspension exceeds two years, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law pursuant to standard 1.4 (c) (ii) , Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the

other conditions of probation recommended by the Hearing Department of the State Bar Court in its order dated June 17, 1998, approving the stipulation filed June 22, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension or within one year after the effective date of this order, whichever is later. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is also ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and shall be paid as recommended by the State Bar Court pursuant to its order dated June 17, 1998.

*(See Business & Professions Code, § 6126, subd. (c).)

S073256

In re **Gerhard M. Heimann** on Discipline

It is ordered that **Gerhard M. Heimann** be suspended from the practice of law for three years and until he has satisfactorily shown his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii). He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed June 10, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant

to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073259 In re **David A. McVey** on Discipline

It is hereby ordered that **David A. McVey** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S073260 In re **Robert Yukio Nakamura** on Discipline

It is ordered that **Robert Yukio Nakamura** be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed July 24, 1998. He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073336 In re **Land Wayland** on Discipline

It is ordered that **Land Wayland** be suspended from the practice of law and for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for 75 days, recommended by the Hearing Department of the State Bar Court in its order approving stipulation dated June 26, 1998, approving the stipulation filed June 23, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be added to and become part of the membership fee for 1999.

S073337 In re **Ollie Pearl Manago** on Discipline

It is ordered that **Ollie Pearl Manago** be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed June 16, 1998. The period of probation shall commence upon the effective date of this order or on March 13, 1999, whichever is later. Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073338 In re **Robert Victor Balacek** on Discipline

It is ordered that **Robert Victor Balacek** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 90 days and until he makes restitution to Kenneth and Joanne Gwinn or the Client Security Fund if appropriate, in the amount of \$2,000 plus 10% interest per annum from February 17, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. If the period of actual suspension exceeds two years, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards

for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed June 25, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is also ordered that he comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S073339

In re **Richard C. Camino** on Discipline

It is ordered that **Richard C. Camino** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed June 17, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S073340 In re **Richard J. Eisner** on Discipline

It is ordered that **Richard J. Eisner** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed June 15, 1998. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 1999 and 2000. (Bus. & Prof. Code section 6140.7.)

*(See Business & Professions Code, § 6126, subd. (c).)

S073341 In re **Joseph L. Pittera** on Discipline

It is ordered that **Joseph L. Pittera** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed June 9, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 payable in accordance with Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S073344 In re **Jeffrey Michael Brown** on Discipline

It is ordered that **Jeffrey Michael Brown** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 24, 1998. It is further ordered that he take and pass the Multistate

Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 payable in accordance with Bus. & Prof. Code section 6140.7.

S073349 In re **Kenneth Randolph Moore** on Discipline

It is ordered that **Kenneth Randolph Moore** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 10, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 payable in accordance with Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S073351 In re **David J. Shapiro** on Discipline

It is ordered that **David J. Shapiro** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed July 24, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073353 In re **James A. Moser** on Discipline

It is ordered that **James A. Moser** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he placed on probation for two years on condition that he be actually suspended for 90 days and until he makes restitution to the following persons, (or the Client Security Fund, if appropriate) in the indicated amounts, plus interest at the rate of 10% per annum from the date this order is effective: 19 Boardway, in the amount of \$200; Safeway, in the amount of \$150; Pacific Bell, in the amount of \$83.13; Milani's Cocktail Lounge, in the amount of \$30; Pete's 881 Club, in the amount of \$170; Nave's Bar and Grill, in the amount of \$50; and furnishes satisfactory proof thereof to the Probation Unit, Office of the Chief Trial Counsel. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed July 8, 1998. If the period of actual suspension exceeds two years, he shall remain actually suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073355 In re **Kim Calder Hayes** on Discipline

It is ordered that **Kim Calder Hayes** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days and until he makes restitution to Smythe E. Anderson (or the Client Security Fund, if appropriate) in the amount of \$500 at 10% interest from September 19, 1995, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed June 11, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 payable in accordance with Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S073357 In re **Howard Allan Lipton** on Discipline

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in S054208 (93-O-19965) is lifted, and **Howard Allan Lipton** shall be actually suspended from the practice of law for 90 days. He is ordered to continue to comply with the conditions of probation previously imposed in S054208 (93-O-19965) as modified by the Hearing Department of the State Bar Court in its order regarding stipulation filed June 19, 1998. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073358 In re **Danny G. Williams** on Discipline

It is ordered that **Danny G. Williams** be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed May 29, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and those costs are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073359 In re **Gregory C. Horn** on Discipline

It is ordered that **Gregory C. Horn** be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for one year to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order regarding Stipulation filed June 16, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and those costs are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073360 In re **Dale E. Washington** on Discipline

It is ordered that **Dale E. Washington** be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed June 22, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant

to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S073364 In re **Patrick Dayton McNeal** on Discipline

It is ordered that **Patrick Dayton McNeal** be suspended from the practice of law for 18 months, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed June 5, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

S073366 In re **Lola Marie McAlpin-Grant** on Discipline

It is ordered that **Lola Marie McAlpin-Grant** be suspended from the practice of law for ninety days, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order dated June 15, 1998, approving stipulation filed June 22, 1998. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be paid as recommended by the State Bar Court pursuant to its order dated June 15, 1998.

S073402 In re **Joseph Gellman** on Discipline

It is ordered that **Joseph Gellman** be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order dated July 24, 1998. The period of probation herein shall commence upon termination of the probation ordered in S062005 (86-0-14270). Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

S073405 In re **Robert Alan Walker** on Discipline

It is ordered that **Robert Alan Walker** be suspended from the practice of law for four years, that execution of suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for two years and until he makes restitution to (1) Margaret Coleman or the Client Security Fund if appropriate, in the amount of \$925, plus 10% interest per annum, from July 1, 1997; (2) Marlon Pamintuan or the Client Security Fund if appropriate, in the amount of \$700, plus 10% interest per annum, from March 1, 1997; and (3) John Chapple or the Client Security Fund if appropriate, in the amount of \$300, plus 10% interest per annum, from March 1, 1997, and furnishes satisfactory proof of such restitution to the Probation Unit, State Bar Office of the Chief Trial Counsel. He is to remain actually suspended from the practice of law until he has also shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed July 31, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are

awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S073406 In re **Ce Cole** on Discipline

It is hereby ordered that **Ce Cole** be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S073407 In re **Max Craig Cassing** on Discipline

It is ordered that **Max Craig Cassing** be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for one year. He is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed July 8, 1998, as modified by its order filed July 30, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

